

1 KENNETH R. O'BRIEN, Bar No. 072128
E-mail: kobrien@littler.com
2 LITTLER MENDELSON
A Professional Corporation
3 2520 Venture Oaks Way, Suite 390
Sacramento, CA 95833.4227
4 Telephone: 916.830.7200
Facsimile: 916.561.0828

5 DENISE M. VISCONTI, Bar No. 214168
E-mail: dvisconti@littler.com
6 LITTLER MENDELSON
A Professional Corporation
7 501 W. Broadway, Suite 900
San Diego, CA 92101.3577
8 Telephone: 619.232.0441
9 Facsimile: 619.232.4302

10 Attorneys for Defendant
AMERICAN AIRLINES, INC.

11
12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15 EDWARD E. ANDERSON,

16 Plaintiff,

17 v.

18 AMR The parent of AMERICAN
AIRLINES INC, AMERICAN AIRLINES,
19 and DOES 1 through 5 INCLUSIVE,

20 Defendants.

Case No. 07-cv-3527 WHA

**DECLARATION OF SANDRA ADAMS IN
SUPPORT OF DEFENDANT'S MOTION
FOR SUMMARY JUDGMENT AND/OR
SUMMARY ADJUDICATION OF CLAIMS
AND OR JUDGMENT ON THE
PLEADINGS**

Date: May 29, 2008
Time: 8:00 a.m.
Cttrm: 9
Judge: William Alsup

21
22
23
24 I, SANDRA ADAMS, do hereby declare:

25 1. I have personal knowledge of the facts set forth in this declaration and, if
26 called upon to do so, could and would testify competently thereto.

27 2. I am employed as Kenneth R. O'Brien's Legal Assistant. At plaintiff's
28 deposition he produced slightly more than 700 pages of documents relating to his actions as skycap

1 for American Airlines. These documents consist generally of Sales Agent Deposit Slips, Baggage
2 Reconciliation Sheets, and also bear plaintiff's handwritten notes as to when his podium was
3 "broke," under repair, awaiting parts, or being serviced. I have personally reviewed these documents
4 for any notation by Plaintiff that his podium was experiencing any kind of problem, service issue,
5 awaiting parts, or any other such handwritten notation. As an example, the records for August 2,
6 2006 bear Plaintiff's handwritten note "computer broke at 9:15 am." For the court's reference, a true
7 and correct copy of said record is attached as Exhibit A. I reviewed each of Plaintiff's documents
8 for any such entries and then tabulated all such dates on which any entry showed that there was a
9 problem with plaintiff's podium.

10 3. Plaintiff's records showed that since August 15, 2005, plaintiff made entries
11 showing that his podium was "broke", "waiting for parts," or any other similar entry on a total of 18
12 days. The records also show that the greatest number of consecutive work days on which Plaintiff
13 claims his machine was not in service was four days—from October 28 to October 31, 2007.

14 I declare under penalty of perjury under the laws of the State of California, that the
15 foregoing is true and correct and that this Declaration was executed this 24th day of April, 2008, at
16 Sacramento, California.

17
18
19 /s/ _____
20 SANDRA ADAMS
21
22
23
24
25
26
27
28

EXHIBIT “A”

Page 1 of 1

Baggage Reconciliation Sheet

Skycap Name:

Bag Tags Issued: 5668248
ANDERSON EDBag Tags Voided: 0Date: 8-02-06Bag Tags Used: 5 x 2.00 = 10.00WednesdayDeposit (above X \$2.00): 10.00

Peel off stubs from automated tickets placed here.

computer broke at 9:15 AM.

DECUIR/DAVID

AA 3895/02TYS
AA 1994/02DFW

9001013734

DECUIR/MICHAEL

AA 3895/02TYS
AA 1994/02DFW

9001013735

JONES/COREY

AA 3895/02TYS
AA 1994/02DFW

9001013736

MACAKAEG/FLORIAN

AA 2446/02LAX



7001889367

MACAKAEG/PELE

AA 2446/02LAX



7001889368